FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.1021 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders

---

Ms.Kiran Bhagalia i/by Ms.Lalita Panchakshari for the petitioners.

None for Respondents.

Coram : S.C.Dharmadhikari,J

Date : 23.8.2005.

PC

1. This petition challenges the order passed by the authorities exercising powers under the Maharashtra Land Revenue Code 1966. It is the case of Ms.Bhagalia appearing for the petitioners that the land admeasuring 2 hectors 30 R's plus potkharaba 4 R at Gut No.324, old survey no.63, Donge Tal, Dist.Pune belonging to Shri Amruteshwar Devsthan. It is a grant from the Govt. under which the Devasthan came in possession. She submits that the authorities therefore, ought not to take cognizance of

the grievance of the contesting respondents and entertained the application for inserting their names in the revenue record.

2. After hearing Ms.Kiran Bhagalia and perusing the impugned order, in my view, all that the authorities have done is to make correction in the revenue entries. The orders passed do not decide any issue of title and rights of the petitioners much less, the Devasthan.

3. In this view of the matter, it would be open for the petitioners to institute substantiate proceedings and assert their title in the suit land. Needless to observe that the finding recorded by the authorities shall not influence the Court while deciding the substantiate proceedings. In other words, they would be decided on their own merits and in accordance with law. Petition is dismissed.

(S.C.Dharmadhikari,J)